(4)

Single Bench

CF1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(Cr.) No. 19 /2007

PETITIONER : Smt. Rita Devi Singh
W/o. Ramnaresh Singh
Aged about – 38 years
R/o.- behind Apsara Talkies
Santrabadi, Durg, Distt.-
Durg (C.G.)

P.R. No. 5751/07 Vivek Sharma
Presented by Shri
dated 12/11/07

VERSUS

RESPONDENTS

1. State of Chhattisgarh
Through, The Secretary
Department of Home, D.K.S.
Bhawan Raipur (C.G.)

2. Director General of Police,
Police Headquarter – Raipur
Distt.- Raipur (C.G.)

3. Sr. Superintendent of Police
Distt.- Durg (C.G.)

4. The Office Incharge,
Police Station Mohan Nagar,
Durg, Durg (C.G.)

5. Smt. Premvati Bai
W/o. Shivlal Sahu
R/o. – Near Nirankari
Bhawan, Deepak Nagar,
Durg (C.G.)

RECEIVED-COPY
17/11/07
CLERK to A. G. BILASPUR

S.P. Kaushik
BILASPUR TAHSIL AREA

(5)

WRIT PETITION UNDER ARTICLE 226 OF THE

CONSTITUTION OF INDIA

XI-HC-78

(25)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.(C) 219 **सन्** 2007

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

07.02.2007

Shri Vivek Sharma, learned counsel for the petitioner.

Shri Vinay Harit, learned Dy. A.G. for the State/respondents No. 1 to 4.

The petitioner by the instant petition prays for a direction against respondent No. 1 to 4 to register the First Information Report in pursuance of the complaint of Annexure P/3 as even after the offence being cognizable, they have not registered the same against respondent No. 5.

I have heard learned counsel for the petitioner.

From the documents annexed with the petition it appears that the petitioner entered into an agreement whereby she claims that she had purchased the disputed property from respondent No. 5 through unregistered sale deed and on the basis of that documents she applied for mutation before the revenue authorities, which was rejected vide Annexure P/2. The grievance of the petitioner is that respondent No. 5 obtained consideration by misrepresentation and as such committed a cognizable offence and the respondents No. 1 to 4 were duty bound to register the offence against respondent No.5.

In the aforesaid facts and circumstances of the case, this Court is of the opinion that the petitioner has an efficacious alternative remedy of

P.T.O.

XI-HC-78

(26)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.(C)No.2...19..... **सन् 2007**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	filing a civil suit or a criminal complaint under Section 200 of the Cr.P.C. before the competent Court against respondent No. 5 and the instant petition cannot be entertained. With the aforesaid observation, the petition is disposed of. Sd/- Dhirendra Mishra Judge	

P.T.O.